

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

---

Donovan Orville Horton,

Case No. 25-CV-839 (PJS/JFD)

Petitioner,

v.

**ORDER ADOPTING REPORT AND  
RECOMMENDATION**

B. Eischen et al.,

Respondents.

---

The Court has received the Report and Recommendation of United States Magistrate Judge John F. Docherty. (Dkt. No. 7.) No party has objected to that Report and Recommendation, and the Court therefore reviews it for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Finding no clear error, and based upon all the files, records, and proceedings in the above-captioned matter,

**IT IS HEREBY ORDERED THAT:**

1. The Report and Recommendation (Dkt. No. 7) is **ADOPTED**;
2. The Application to Proceed in District Court without Prepaying Fees or Costs (Dkt. No. 5) is **DENIED** as moot; and
3. The Petition (Dkt. No. 1) is **DISMISSED WITH PREJUDICE**.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Date: June 3, 2025

/s/ Patrick J. Schiltz

Patrick J. Schiltz

United States Chief District Judge